



Town of Lexington

Community Preservation Committee

Report to

2014 June Special Town Meeting

Article 3: Land Acquisition – Off Concord Avenue

Article 10: Amend Article 5 of November 4, 2013 Special Town Meeting, Renovations to Community Center

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Community Preservation Committee Special Town Meeting, June 16, 2014

The Community Preservation Report for the June 16, 2014 Special Town Meeting includes two requests for funding from the Community Preservation Fund (CPF). Article 3 requests Community Preservation Act (CPA) funding for the acquisition/taking of land off Concord Avenue, and Article 10 requests supplemental CPA funding for renovations to the Community Center which has reached 90% design stage. Below are summaries of the important CPA-related issues in each article, followed by more in-depth descriptions of each CPA application.

Summary of Recommended Community Preservation Act Funding for Articles 3 and 10, for Special Town Meeting, June 16, 2014 FY 2015

Article 3, Land Acquisition – Off Concord Avenue. The Community Preservation Committee (CPC) is recommending the appropriation of \$220,000 in CPA funding for the acquisition/taking of 12 acres of “back land” at 430 Concord Avenue, Map 6, Lot 1. \$180,000 of this amount is for the acquisition or taking, and \$40,000 is devoted to the associated legal fees that may be incurred. This 12-acre parcel is primarily wet and borders Hardy Pond Brook. It is believed that State and local wetlands protection laws render the parcel undevelopable due to setbacks and protection zones.

Article 10, Renovations to the Community Center. The Community Preservation Committee is recommending the supplemental appropriation of \$500,000 in CPA funding for building renovations to the Community Center building. As construction documents reached the 90% level, estimated net costs increased \$705,650 beyond the approved appropriation. Additional funding was needed to complete renovations in the following areas: building envelope repairs, fire protection upgrades and modifications to lower level exercise and program space.

Both projects under Articles 3 and 10 have been evaluated by the CPC in light of the articulated criteria for eligibility and appropriateness under the Community Preservation Act and have been vetted by Town Counsel. Acquisition of the Concord Avenue parcel was discussed in Executive Session on May 1st, and both projects were discussed in Open Session on June 10th. Votes on the projects were conducted in public meetings with attendance of interested parties and stakeholders.

ARTICLE 3

Project:	Land Acquisition – Off Concord Road
CPA Category:	Open Space
Amount Requested:	\$220,000
Amount Recommended:	\$220,000
CPC Vote:	(8-0)

Project Description:

This project proposed by the Board of Selectmen and the Conservation Commission seeks the purchase/taking of 12 acres of “back land” at 430 Concord Road. The parcel is shown as Map 6, Lot 1 on Town Assessor’s Maps and consists primarily of wetlands and a possible vernal pool. From a wetlands resource standpoint, the parcel contains “Land Subject to Flooding” because it borders the Hardy Pond Brook. It also has significant value to wildlife as a large contiguous wetland habitat. It provides cover for mammals, and nesting and migratory habitat for a variety of wetland birds.

The property has been under the control of the Conservation Commission following a vote at the 1977 Annual Town Meeting and subsequent recording of the deed in 1979. The Conservation Commission assumed stewardship of the parcel at that time, but zoning violations on an adjacent parcel have brought attention to the “back land” and its ownership. The Board of Selectmen are in the process of negotiating the disposition of the lot with the adjacent landowner who considers the parcel to be his property. Town Counsel believes the most efficient method to clarify ownership of the lot may be an Eminent Domain taking, thus clearing title to the property.

The Town obtained two appraisals for the lot, which estimated the values of the property at \$78,000 and \$180,000. The disparity between the appraisals was due to the use of different “comparables” as the basis for the appraisers’ determinations. On the advice of Town Counsel, the request to the CPC for funding is for the higher of the two appraisals and includes \$40,000 in legal fees for a total request of \$220,000. Any unused funds will be returned to the CPF.

Due to the extensive wetlands on the parcel, it has been a low priority for trail construction by the Conservation Commission. Public access will be re-evaluated, however, after final disposition of the property.

Project Goals and Objectives:

- Preserve in perpetuity a 12-acre parcel of land in Lexington.
- Establish clear title to the property as Town-owned conservation land.
- Enable the Conservation Commission to rightfully assume stewardship over the parcel.
- Examine opportunities for public access after disposition of the land is settled.

Project Benefit:

This project will benefit the Town by preserving 12 acres of land in Lexington that is valuable for flood prevention, protection of groundwater, and wildlife habitat.

Funding Request:

The funding request for this CPA project is \$220,000. Of this total, \$180,000 is devoted to the purchase or taking of the 12-acre property (Map 6, Lot 1) and \$40,000 is for possible legal fees. If approved by Town Meeting, this appropriation will be taken from CPF cash.

ARTICLE 10

Project:	Amend Article 5 of the November 4, 2013 Special Town Meeting, Renovations to the Community Center
CPA Category:	Historic Resources
Amount Requested:	\$500,000
Amount Recommended:	\$500,000
CPC Vote:	(7-1)

Project Description:

At Special Town Meeting on November 4, 2013, voters appropriated \$3,169,000 (\$2,845,184 in CPA funding) to conduct renovations to the Community Center. The purpose of the renovations was to support interim occupancy of the building by the Human Services and Recreation Departments while the full design was being completed. In March 2014, the total renovation cost was increased to \$6,220,000 with the contribution from CPA funds totaling \$5,797,184. This increase was to enable full occupancy of the Community Center and to save approximately \$500,000 by completing the renovation in a single construction phase. Since March of this year, the Ad hoc Community Center Advisory Committee (AhCCAC) has worked closely with the architects and engineers to develop 90% construction documents. (Previous appropriations were based upon 60% design documents.)

As a result of the 90% design phase, estimated construction costs increased to \$705,650 over the original total appropriation of \$6,220,000. The increased costs were primarily associated with three areas: unanticipated building envelope repairs, changes to the sprinkler system mains to accommodate the HVAC installation, and modifications to the north elevation doors to allow natural light in work-out rooms and program space. The AhCCAC reviewed the elements of the added costs, and decided it would be most prudent to re-evaluate the project by using a “value engineering process” in which non-critical items could be eliminated or replaced with less expensive items. This detailed process reduced the initial estimate to \$500,000, which the Committee felt was a defensible amount for the necessary scope of renovation work. The AhCCAC’s recommendation also included the use of a bidding strategy called “add alternates” in the event that the bid came in higher than the approved appropriation. “Add alternates” are project elements that can be completed at a later time without interfering with the occupancy of the building or subsequent workflow. The two renovations presently proposed as “add alternates” are a handicapped access ramp off the front patio of the mansion, and repairs to the building envelope.

The CPC notes that the total renovation cost of \$6,220,000 is lower than the original \$10,944,186 estimated at the November 2013 Special Town Meeting. It was anticipated at that time that \$8,545,775 would be requested in CPA funds. The current renovation is proposed at a total of \$6,720,000, of which \$6,297,184 would CPA-funded.

Project Goals and Objectives:

- Renovate the building from office use to assembly use for Community Center programming.
- Relocate the Human Services and Recreation Departments into the newly renovated building.

- Design the renovation to be consistent with applicable codes and Town standards for energy use.

Project Benefit:

The renovated building will benefit all those who use the Community Center and its services, as well as the Human Services and Recreation Departments who will also occupy the building.

Funding Request:

The total funding request for Article 10 for the amended Community Center renovation project is \$6,720,000. Of this amount \$6,297,184 is proposed to be funded with CPA funds. \$5,846,184 is to be appropriated in CPF cash and \$451,000 in CPF debt. \$422,816 would be funded from the General Fund as free cash.

The current request for CPA funds under this Article is \$500,000 over the previously CPA approved funding for this project. The appropriation under Article 10 would be from CPF cash, and would therefore not increase the debt burden of the CPF.